REMARKS

Claims 3, 8, 13, 16-24, 27-30, 41-42, 44-46, 48-50, 52, and 56-77 are pending. By this Amendment, Claims 16, 19, 22, 30, 41-42, 44-46, 48-5, and 52 are amended and new Claims 57-77 are added.

In particular, Applicants note that Claims 16, 19, 22, 30, 41-42, 44-46, 48-50, and 52 are amended in response to the Examiner's last remark in the Advisory Action. For this reason in addition to the arguments presented below, Applicants respectfully submit that Claims 16, 19, 22, 30, 41-42, 44-46, 48-50, and 52 and corresponding or dependent claims are allowable.

Applicants gratefully acknowledged the Examiner's indication in the Office Action that Claims 3, 8, 13 and 27-29 and 56 are allowed.

The Examiner's Response to Arguments in the Office Action and remarks in the Advisory Action have been carefully reviewed.

New Claims 57-77

In addition to the remarks below regarding the rejections in the Final Action, Applicants note that the new Claims 57-77 distinguish over the applied references. In particular, U.S. Patent No. 6,169,538 to Nowlan (Nowlan) discloses enlarging a group of adjacent characters when a user places a cursor over one of the characters, temporarily making the characters easier for the user to see. However, Nowlan does not disclose individually sizing icons because a group of characters (the character under the cursor and adjacent characters) is always collectively enlarged. Nowlan also fails to disclose the user arbitrarily selecting a magnitude of the enlargement.

U.S. Patent No. 6,469,722 to Kinoe (Kinoe) discloses that an area or portion of an icon can be changed by an operator, e.g. by inputting a numeric value via a keyboard. However, Kinoe discloses only one icon. See for example Kinoe at Figure 19 and column 21. The single icon is a composite icon, and different functions are performed when different areas of the composite icon are selected by a user.

Accordingly, when considered both separately and in combination, Nowlan and Kinoe fail to disclose or suggest: a) sizing a selected icon *individually* based on a user's indication of size as recited in Claim 57; b) sizing one or more of a plurality of icons based on a user's *arbitrary* indication of size, as encompassed by Claim 66; c) that the sizing of the icon(s) reflects an importance to the user of the object(s) represented by the icon(s), as encompassed by Claims 74-75; and automatically sizing selected icons based on a sequence in which the icons were selected by the user, as recited in Claim 77. Grossman, Mernyk, and the Simpson article fail to overcome these deficiencies of Nowlan and Kinoe. For at least these reasons, Claims 57-77 are allowable.

Claim Rejection – 35 U.S.C. § 103(a) over Nowlan & Kinoe

The Examiner maintains the rejection of Claims 16 and 30 under 35 U.S.C. § 103(a) over U.S. Patent No. 6,169,538 to Nowlan (Nowlan), in view of U.S. Patent No. 6,469,722 to Kinoe (Kinoe). This rejection is respectfully traversed.

In the Response to Arguments, the Examiner asserts that Kinoe at column 3, lines 44-50, discloses icon size being based on characteristics of objects represented by the icons. This is not true, because Kinoe at column 3, lines 44-50 discloses that a human operator can change the size of an icon area by inputting a numeric value via a keyboard. Kinoe at column 2, lines 7-9 discloses that the user

can change the appearance (or part of an appearance) of an icon by positioning a mouse pointer on the icon.

Thus, the size of Kinoe's icon is determined by the user's action, and not by any intrinsic characteristic of the object represented by the icon. The same is true of Nowlan.

The combination of Nowlan with Kinoe fails to disclose Claims 16 and 30 because the *combination* fails to disclose or suggest at least one claimed feature: the size of the icon being determined by an *object characteristic* as recited in Claim 16, and similar features recited in Claim 30. Nowlan and Kinoe both disclose sizing an icon based on a user's actions – neither discloses sizing an icon based on a characteristic of the object represented by the icon, and so the combination likewise fails to disclose this feature.

Claim Rejection – 35 U.S.C. § 103(a) over Nowlan, Kinoe & Grossman

The Examiner rejects Claims 17-18 under 35 U.S.C. § 103(a) over a combination of Nowlan, Kinoe and U.S. Patent No. 5,564,004 to Grossman, *et al.* (Grossman). This rejection is respectfully traversed.

Grossman discloses resizing icons based on a user's actions or probable actions, rather than on any intrinsic characteristic of the objects represented by the icons. Like Nowlan and Kinoe, Grossman fails to disclose or suggest sizing an icon based on a characteristic of the object represented by the icon. Since each of Nowlan, Kinoe and Grossman lacks this feature, the asserted combination likewise lacks it and therefore fails to render Claims 17-18 obvious.

Claim Rejection – 35 U.S.C. § 103(a) over Nowlan, Kinoe & Mernyk

The Examiner rejects Claims 19, 22, 41 and 49 under 35 U.S.C. § 103(a) over a combination of Nowlan, Kinoe and U.S. Patent No. 6,496,206 to Mernyk, *et al.* (Mernyk). This rejection is respectfully traversed.

Mernyk discloses displaying thumbnail images of electronic files, and also discloses an electronic folder indicating a number of objects within the folder (e.g., "23 object(s)" as shown in Figure 1). Selecting an icon displayed in the folder causes a thumbnail image corresponding to the underlying object to be displayed, as shown in Figure 1.

However, like Nowlan and Kinoe, Mernyk fails to disclose or suggest sizing an icon based on a characteristic of the object represented by the icon.

Accordingly, the asserted combination of Nowlan, Kinoe and Mernyk fails to disclose or suggest Claims 19, 22, 41 and 49.

Claim Rejection – 35 U.S.C. § 103(a) over Nowlan, Kinoe, Mernyk & Grossman

In numbered section 6 of the Office Action, the Examiner rejects Claims 20-21 and 23-24 under 35 U.S.C. § 103(a) over a combination of Nowlan, Kinoe, Mernyk and Grossman. This rejection is respectfully traversed.

The deficiencies of Nowlan, Kinoe, Mernyk and Grossman set forth above (for example, with respect to Claim 16 and 19) apply here as well. In sum, Grossman fails to overcome the deficiencies of Nowlan, Kinoe and Mernyk set forth above with respect to allowable Claims 19 and 22 and thus the asserted combination fails to disclose or suggest Claims 20-21 and 23-24.

Claim Rejection – 35 U.S.C. § 103(a) over Nowlan, Kinoe, Mernyk & Simpson

The Examiner rejects Claims 42, 44-46, 48-50 and 52 under 35 U.S.C. § 103(a) over a combination of Nowlan, Kinoe, Mernyk and *Windows 95 Uncut*, authored by Alan Simpson. This rejection is respectfully traversed.

Windows 95 Uncut discloses an object characteristic that is an amount of memory that the object uses. However, *Windows 95 Uncut* fails to disclose or suggest using such an object characteristic as a basis for sizing an icon of the object. Thus, Simpson fails to overcome the deficiencies of Nowlan, Kinoe and Mernyk set forth above, and the asserted combination fails to disclose or suggest Claims 42, 44-46, 48-50 and 52.

Conclusion

Applicants respectfully submit that the application is in condition for allowance. Favorable consideration on the merits and prompt allowance are respectfully requested.

In the event any questions arise regarding this communication or the application in general, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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